

Brad M. Scheller  
212 692 6761  
bmscheller@mintz.com



MINTZ

666 Third Avenue  
New York, NY 10017  
212 935 3000  
mintz.com

April 6, 2020

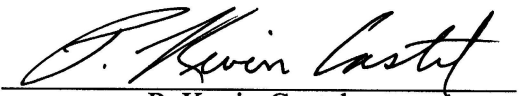
Time for all defendants to respond to the complaint is extended to June 13, 2020. April 14 conference adjourned to June 29, 2020 at 2:00 p.m.

SO ORDERED.

April 7, 2020.

VIA ECF

Honorable P. Kevin Castel  
United States District Court Judge  
Southern District of New York  
United States District Court  
500 Pearl St., Room 15C  
New York, NY 10007

  
P. Kevin Castel  
United States District Judge

**Re: Angela Clair *et al.* v. Peter Thomas Roth Labs LLC *et al.*  
S.D.N.Y. Case No. 1:20-cv-01220-PKC**

Dear Judge Castel:

This firm represents Defendants Peter Thomas Roth Labs LLC, Peter Thomas Roth Global, LLC, Peter Thomas Roth, LLC, June Jacobs Labs, LLC and June Jacobs Laboratories, LLC (“Defendants”) in the above-referenced action. Plaintiffs filed their Complaint on February 12, 2020. The Court entered an Order on February 13, 2020 setting the Initial Pretrial Conference for April 14, 2020 at 12:15 PM, which is the next conference with the Court (to be held by teleconference, pursuant to a subsequent order of the Court, filed March 25, 2020).

Regarding service of process of the Summons and Complaint (ECF No. 1), we have been informed by and understand from Plaintiffs’ counsel that Defendants Peter Thomas Roth Labs LLC, Peter Thomas Roth Global, LLC, and Peter Thomas Roth, LLC (the “PTR Defendants”) were served with the Summons and Complaint on March 20, 2020, by personal delivery to the office of the New York Secretary of State, that Defendant June Jacobs Labs, LLC was served with the Summons and Complaint on March 23, 2020 by delivery to Corporation Service Company, Princeton South Corporate Center, Suite 160, 100 Charles Ewing Blvd, Ewing, NJ 08628 and that Defendant June Jacobs Laboratories, LLC will be served on Thursday, April 9, 2020. We have not otherwise received proof of such service. Based on the alleged dates of service, the PTR Defendants’ current deadline to respond is April 10, 2020, Defendant June Jacobs Labs, LLC’s current deadline to respond is April 13, 2020 and Defendant June Jacobs Laboratories, LLC’s current deadline to respond will be April 30, 2020.

Notwithstanding that Defendants reserve all rights and arguments available to them in responding to the Complaint, we write to respectfully request an extension of time, until June 13,

MINTZ

April 6, 2020  
Page 2



2020, which is approximately 60-days after the first response deadline, for all Defendants to answer or otherwise respond to the Complaint on a uniform future date. This request for an extension of time is being made because (i) Defendants were only recently served in this action, (ii) the parties are in active settlement discussions in a related pending case, styled *Miller et al. v. Peter Thomas Roth Labs LLC et al.*, No. 19-cv-698-WHA (N.D. Cal. 2019), that if settled would resolve the instant matter before Your Honor and (iii) Defendants are experiencing significant ongoing business interruptions and complications as a result of the COVID-19 pandemic. This is Defendants' first request for an extension in connection with this action. Plaintiffs' counsel does not oppose this request.

In accordance with Paragraph 1.B of the "Individual Practices of Judge P. Kevin Castel," Defendants also respectfully request that the Initial Pretrial Conference set for April 14, 2020 be continued to a date that is convenient for the Court, which is at least 14 days following Defendants' deadline to respond to the Complaint, and that the deadlines to submit a joint letter regarding the case and a proposed Case Management Plan (as provided in ECF Nos. 13-14) be moved accordingly. Plaintiffs' counsel does not oppose continuing the Initial Pretrial Conference. No Case Management Plan or Scheduling Order has been issued in this case.

We thank the Court for its attention to this matter.

Respectfully Submitted,

/s/ Brad M. Scheller

Brad M. Scheller

Cc: All counsel of record (via ECF)